IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.4283 OF 2006

IN

SUIT NO.3195 OF 1988

Smt.Shirinbai Lookman Qadir .. Plaintiff.

Versus

Rajesh Mansukhlal Khadawala & Ors. .. Defendants.

Mr.Rajesh Marawoor for applicant.

Mr.K.K.Shroff i/b.A.H.Mehta for plaintiff/respondent.

Ms.K.C.Nichani for defendant No.1.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 21st AUGUST, 2007.

P.C.:

1. Heard Mr.Rajesh Marawoor, appearing in support of this application and Mr.Shroff, appearing for the plaintiff and Ms.Nichani for defendant No.1. Perused the Notice of Motion and the affidavit in support so also replies.

2. In my view, considering the reliefs claimed, this

Notice of Motion is not the appropriate remedy for the applicant. The applicant would have to file its substantive proceedings for claiming the reliefs and more particularly that set out in prayer clause (b) in this Notice of Motion. Reserving such liberty and keeping open all contentions of parties therein, this Notice of Motion is dismissed.

(S.C.Dharmadhikari, J.)